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CRL OP No. 7019 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7019 of 2026

Bharath S/o. Sandhanam,
Door No.367, Perur Main Road,
NSK Street, Selvapuram,
Coimbatore South,
Coimbatore.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police,
D2, Selvapuram Police Station,
Coimbatore.
Cr.No.56/2026.

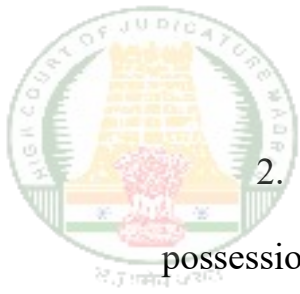
..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in Cr.No.56 of 2026 dated 27.02.2026 on the file of the Respondent Police.

For Petitioner(s):	Mr. Tamizhanban V.
For Respondent(s):	Mr. S. Vinoth Kumar, Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.02.2026 for the alleged offences under Section 24(1) of Cigarette and Other Tobacco Prohibition Act 2003 and Section 123 of B.N.S. in Crime No.56 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is the petitioner was found in illegal possession of 94 kgs of banned Tobacco products for his personal gain. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been under incarceration since 27.02.2026. He would further submit that the petitioner has been falsely implicated in this case and he is ready and willing to abide by any condition that may be imposed by this Court and hence prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and objected the bail application on the ground that the petitioner is involved in 4 other previous cases and among which, 3 cases are similar in nature.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submissions made on either side, though the learned Government Advocate objected to release the petitioner on bail as 94 kgs of banned Tobacco products have been recovered from the accused, considering the long incarceration of the petitioner from 27.02.2026, the nature of



allegations against him and upon the fact that by this time, investigation might have been completed and hence further custodial interrogation of the petitioner may not be required, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **learned Judicial Magistrate No.V, Coimbatore** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall sign before the respondent police daily twice at 10.30 a.m. and 5.30 p.m. for a period of 15 days and thereafter, as and when required by the investigation officer, for interrogation.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the



petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]:

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

24-03-2026

MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.V, Coimbatore.
2. The Inspector of Police, D2, Selvapuram Police Station, Coimbatore.
3. The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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